

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12757 of 2020**

Arising Out of PS. Case No.-557 Year-2019 Thana- BANKA District- Banka

Jyoti Kumar Diwakar, Son of Late Nand Kishor Das, Resident of Village-  
Ghogi Bariyapur @ Dhogi Bariyarpur, P.S-Surajgarha, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      30-06-2020                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with  
Banka (Barahat) P.S. Case No. 557 of 2019, registered under Section  
304 of the Indian Penal Code.

The accusation is that on 09.08.2019, Pankaj Kumar,  
son of the informant, Sakuna Devi, moved from the house for doing  
the work at the Plant of Indian Oil Gas Corporation Limited, Nemua,  
Masudanpur. After some time, informant received information to the  
effect that at the working place, her son Pankaj Kumar sustained  
serious injury at his head then she went there then came to know that  
her son has been taken at Banka Sadar Hospital for treatment, on  
which, she reached there then saw the dead body of her son at  
stretcher and not a single staff of the aforesaid company was present



there. The accident took place due to non compliance of security guidelines issued by the management of the company.

Learned counsel for the petitioner submits that petitioner is labourers contractor and several labourers including the son of the informant were doing the work through the petitioner due to that reason, petitioner has falsely been implicated in the present case. Further submission is that the Indian Oil Gas Corporation Limited has already agreed to pay Rs.6,50,000/- as compensation to the informant due to accidental death of her son and out of which, informant has already been paid Rs.1,50,000/-.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 557 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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